HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting)

(Chapter VIII Rule 32 (2)(b)

Description of the case.

W.P. No. 18 OF 2003 (M/B)

Sayed Abid Haider (Petitioner)

Va.

Govind Ballabh Pant

University & Others. (Respondents)

Approved for reporting.

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~~Not approved for reporting~~

Date of decision 25, August 2004.

Initial of Judge

HIGH COURT OF UTTARANCHAL AT NAINITAL.

WRIT PETITION No. 18 OF 2003 (M/B)

Sayed Abid Haider ...Petitioner

Versus

Govind Ballabh Pant University & Others .... Respondents

Dated: August 25, 2004

Counsel for the Petitioner Manish S.Dalakoti Advocate

Hon. Rajesh Tandon J.

Heard the counsel for the parties.

By this Writ Petition the Petitioner has prayed for the issue of a writ, order or direction, in the nature of mandamus commanding the respondents to refund the fee deposited by the petitioner for IInd Semester of Computer Engineering petitioner.

Briefly stated the petitioner appeared in the subject and analysis test II as non resident Indian for purposes of selection in different colleges in India. The petitioner was selected for the Govind Ballabh Pant University for Agriculture and Technology on 3.10.2001 and was admitted in computer Engineering Course on 3.10.2001.

Petitioner has submitted that the annual fee for the Computer Engineering Course was to the extent of Rs.2,00000/-. However he could not appear in two subjects out of seven subjects in the Ist Semester. However he could not appear in the back paper examination held for Ist Semester candidate also due to illness.

According to the petitioner due to serious illness he could not complete the entire formalities for the II Sememter as well.

Petitioner approached the University for depositing the fee and form of IInd Semester and two drafts of 50,000/- each in the

name of the college. After reaching the college he again fell ill and was advised by the doctor to take complete rest.

Counsel for the petitioner has submitted that the has preferred an application to the Deam Govind Ballabh Pant for withdrawal of the fees deposited in the IInd Semester which was forwarded by the register and ultimately the same was sent to comptroller of Govind Ballabh Pant University but till today the was me has not been refunded to the petitioner.

Petitioner has confined his prayer for a direction to the respondents to dispose of the claim of the petitioner expeditiously.

In the light of the aforesaid facts, liberty is given to the Petitioner to make a representation to the Vice Chanceller for his grievances who shall pass a reasoned order according to the rules on the representation filed by the petitioner within a period of six weeks from the filing of the certified copy of the order.

Subject to the aforesaid observation, writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

August 25, 2004

Dhyani